

In re Application of:
Andrew P. Feinberg
Application No.: 10/629,318
Filed: July 28, 2003
Page 2 of 3

PATENT
Atty Docket No.: JHU1900-1

REMARKS

The Office Communication mailed October 31, 2006 alleges that in response to the restriction requirement of March 27, 2006, Group I and the primer pair of SEQ ID NOS:23-24 were elected. Office Action at p. 2. The Examiner further states “[h]owever, in identifying the claims readable on the elected species … applicant included claim 12, which is drawn specifically to the primer pair combination of SEQ ID NOS:23-24 and SEQ ID NOS:25-26. Accordingly, it is unclear whether the species elected by applicant is the primer pair of SEQ ID NO 23-24, or the primer pair combination of SEQ ID NOS 23-24 and SEQ ID Nos 25-26.” *Id.* Therefore, the Examiner has required “[c]larification of applicant’s election and the claims readable thereon.” *Id.*

Applicants confirm the election of Group I, with traverse for the reasons stated in the response filed April 26, 2006, and further confirm the species election of the primer pair of SEQ ID NOS:23-24, with traverse. Applicants submit that the elected species reads directly on claims 1, 3, 4, 6, 7, 8, 10, 11, 13, 14, 16, 19, and 20.

Applicants remind the Examiner that upon allowable of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable claim according to 37 C.F.R. §1.141.

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Page 3 of 3

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A check in the amount of \$60.00 is enclosed for the requisite One-Month Extension of Time fee. No other fee is deemed necessary with the filing of this paper. However, the Commissioner is hereby authorized to charge any fees that are required, or credit any overpayments to Deposit Account No. 07-1896 referencing the above-identified attorney docket number. A copy of the Transmittal Sheet is enclosed.

Respectfully submitted,



Lisa A. Haile, J.D., Ph.D.
Registration No.: 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

DLA PIPER US LLP
4365 Executive Drive, Suite 1100
San Diego, California 92121-2133
USPTO Customer No.: 28213